

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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In re: Bret O. Whipple,
Attorney at Law, Bar No. 6168

Case No. 2:21-cv-01941-MMD

ORDER

I. SUMMARY

This is an attorney discipline matter. Before the Court is Bret O. Whipple's petition for reinstatement (the "Petition"). (ECF No. 9.) As further explained below, the Court will grant Whipple's Petition.

II. BACKGROUND

Whipple was suspended by the Nevada Supreme Court ("NSC") following his conditional guilty plea to certain misconduct. (ECF No. 1.) Upon receiving notice of his suspension by the NSC, the Court issued an order to show cause why Whipple should not also be suspended by this Court. (*Id.* ("OSC").) Whipple responded to the OSC (ECF No. 5), so the Court converted this case into a civil case. The Court suspended Whipple over his objection. (ECF No. 7.)

The Petition followed. In his Petition, Whipple asks to be reinstated primarily because he has successfully discharged the NSC's probationary conditions. (ECF No. 9 at 3-4.) In most pertinent part, he attached a letter from the State Bar of Nevada confirming that he has successfully discharged the probationary conditions the NSC imposed on him. (*Id.* at 9.)

III. DISCUSSION

Local Rule IA 11-7(i) states that an attorney who is the subject of an order of suspension "may petition for reinstatement to practice before this court or for modification

1 of the order as may be supported by good cause and the interests of justice.” LR IA 11-
2 7(i). The Rule further provides: “if the attorney was readmitted by the supervising court or
3 the discipline imposed by the supervising court was modified or satisfied, the petition must
4 explain the situation with specificity, including a description of any restrictions or
5 conditions imposed on readmission by the supervising court.” *Id.* However, the decision
6 as to whether and under what circumstances the attorney will be reinstated to practice
7 before this Court is left to the discretion of the Chief Judge, or other reviewing Judge if
8 the Chief Judge refers the matter to another judge. See *id.*; see also LR IA 11-7(a).

9 The Court will grant the Petition because Whipple has sufficiently demonstrated
10 he successfully discharged the NSC’s probationary conditions and the state bar closed
11 its file stemming from the same order that led the Court to issue the OSC. (ECF No. 9 at
12 9.) Moreover, Whipple’s Petition demonstrates understanding of the Court’s prior order
13 granting him leave to petition this Court for reinstatement once he could show that he is
14 able to practice in Nevada state courts unencumbered by any probationary conditions.
15 The Court thus finds that Whipple has shown cause to be readmitted to the bar of this
16 Court.

17 **IV. CONCLUSION**

18 It is therefore ordered that Whipple’s petition for reinstatement (ECF No. 9) is
19 granted.

20 DATED THIS 3rd Day of July 2023.



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23 MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b) and LR 5-1, I hereby certify that I am an employee of the United States District Court, and that on this 27th day of July 2023, I caused to be served a true and correct copy of the foregoing Order granting petition for reinstatement to the following party via Certified Mail, Return Receipt Requested, via the United States Postal Service, in a sealed envelope, postage prepaid, to the following:

Brett O. Whipple, Esq.
JUSTICE LAW CENTER
1100 S. Tenth Street
Las Vegas, NV 89104

Certified Mail No.: 7020 3160 0000 7420 3722

/s/ Sharon H.
Deputy Clerk
United States District Court,
District of Nevada